

HR 1567 IH

111th CONGRESS

1st Session

H. R. 1567

To amend the Haitian Refugee Immigration Fairness Act of 1998.

IN THE HOUSE OF REPRESENTATIVES**March 17, 2009**

Mr. MEEK of Florida introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Haitian Refugee Immigration Fairness Act of 1998.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `HRIFA Improvement Act of 2009'.

SEC. 2. AMENDMENTS TO THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

(a) Determinations With Respect to Children- Section 902(d) of the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) is amended by adding at the end the following:

`(3) DETERMINATIONS WITH RESPECT TO CHILDREN-

`(A) USE OF APPLICATION FILING DATE- Determinations made under this subsection as to whether an individual is a child of a parent shall be made using the age and status of the individual on October 21, 1998.

`(B) APPLICATION SUBMISSION BY PARENT- Notwithstanding paragraph (1)(C), an application under this subsection filed based on status as a child may be filed for the benefit of such child by a parent or guardian of the child, if the child is physically present in the United States on such filing date.'

FEEDBACK

(b) Admissibility Waiver for Certain Applicants for Asylum Proceedings- The Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) is amended in subsections (a)(1)(B) and (d)(1)(D) of section 902 by inserting `(6)(C)(i),' after `(6)(A),'.

SEC. 3. NEW APPLICATIONS AND MOTIONS TO REOPEN.

(a) New Applications- Notwithstanding section 902(a)(1)(A) of the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note), an alien who is eligible for adjustment of status under such Act, as amended by section 2 of this Act, may submit an application for adjustment of status under such Act not later than the later of--

(1) 2 years after the date of the enactment of this Act; and

(2) 1 year after the date on which final regulations implementing this Act are promulgated.

(b) Motions To Reopen- The Secretary of Homeland Security shall establish procedures for the reopening and reconsideration of applications for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) that are affected by the amendments under section 2 of this Act.

(c) Relationship of Application to Certain Orders- Section 902(a)(3) of the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) shall apply to an alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily, and who files an application under subsection (a), or a motion under subsection (b), in the same manner as such section 902(a)(3) applied to aliens filing applications for adjustment of status under such Act before April 1, 2000.

END

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